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THE  
C A S E  
OF THE

KERSEY-CLOTHIERS *Inhabiting within the Parishes of Hallifax, Bradford, Bingley, Kighley, and other adjacent Towns and Parishes within the West-Riding of the County of York, against the Aulnagers: Humbly offered to the Honourable House of COMMONS in PARLIAMENT Assembled.*

THE Aulnagers have for about Fourteen years last past demanded and exacted of the Clothiers for Subsidie and Aulnage of Clothes commonly called Kerseys, two pence, and two pence half-penny and more, for some Seals for some of the said Kerseys, when by Law they ought not to have had nor taken more for any Kersey than a penny, nor was there ever any more paid before that time for any Kersey whatsoever, but only a penny.

The truth of this will appear to this Honourable House by the Testimony of several Persons, as well Kersey-makers, Merchants and Factors, as by persons that have formerly been Collectors of the Subsidy and Aulnage.

As to the matter of Law the Case stands thus:

By the Common Law no Subsidy nor Aulnage was due, but the Statute of 27<sup>th</sup> Ed. 3. cap. 4. giveth Subsidy with respect of Value, and Aulnage with respect of length and breadth: And by the Statute 17 R. 2. c. 2. Subsidy is granted for Kerseys after the rate which is to be so understood with respect of Value, and a Penny upon a Kersey is answerable to four  
A pence

pence half-penny upon a Broad-Cloth after the rate of Value. It appears by the said Act of 27 Ed. 3. That Subsidy was granted with respect of Value, for there a Scarlet Cloth is to pay Six pence, a half Grain five pence, and a White Cloth four pence: But Kerseys did not pay any Subsidies or Aulnage untill the aforesaid Statute of 17 R. 2. And by that Statute every man might make Kerseys of any length he pleased, paying Subsidy and Aulnage after the Rate and Value which formerly was paid for other Clothes, and ever since that time the Statutes have been expounded, That a Penny is a full Value and Proportion of a Kersey, and no more has been paid till of late: Nor are the Kerseys now made better in Value than what they formerly were when a Penny was only paid for them, and no more demanded for them.

And upon these and other weighty Reasons and Considerations was it, That a Decree in his Majesties Court of Exchequer, in the twelfth year of the Reign of King James the First, was made, which Decree is in these very words, (*Viz.*) *It is therefore this present day fully and finally Ordered and Decreed, by the Right Honourable Thomas Earl of Suffolk, Lord High Treasurer of England, Sir Fulk Grevill Knight, Chancellour and Under-Treasurer of this Court, Sir Lawrence Tanfield Knight, Lord Chief Baron, and the rest of the Barons of this Court, That the said Clotbiers inhabiting within the Parishes of Hallifax, Bradford, Bingley and Kighley, and other places thereto or neer adjoining in the County of York, shall from henceforth only pay the Summ or Rate of one Penny for the Subsidy and Aulnage of every Kersey, and no more, as they have heretofore of long and ancient time used and accustomed to pay: And that the aforesaid Clothiers duely paying or tendring the said Penny upon every Kersey, as aforesaid, to the Collector or Collectors of the said Subsidy and Aulnage, or to their lawful Deputy or Deputies appointed for the Collecting of the same, shall be no further molested, troubled or vexed, by Seizure, Information or otherwise, for any new or further payments touching the same, nor shall be at any time charged to pay any more than onely one penny for the Subsidy and Aulnage of every Kersey. Notwithstanding which said Decree and the Laws, Statutes and Customs aforesaid,*



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said, the *Aulnagers* have of late Years exacted of the poor Cloath Kersey-Makers, two pence, and two pence half-penny for every *Kersey* Cloath; and being not able to contend with the *Aulnagers*, have sometimes submitted to pay their Exactions tho the same was contrary to Law, rather than be at the charge of a Suit.

And it is futher humbly offered to this Honourable House, Whether not only the Office of *Aulnage*, and the duty of the subsidy (both which are very burthensom to the poor Clothiers, and to their great discouragement) ought to be taken away for these or the like Reasons. Co. 2 Inst.  
fol. 60.

*First*, Because the Subsidy was granted upon Cloath, for that the Wooll for the most part was Converted into Cloath within this Kingdom: And in former Times Wool might be Transported, and then when it was lawful to Transport Wool, the King had forty Shillings for every Sack of Wooll so Transported. But now it is made Felony to carry Wool out of this Realm, and the Cloath made in *England* may be Transported, and great Quantities are Transported, and thereby great Revenues does arrive to his Majesty for the Customs thereof; and as for the Office of the *Aulnager*, the Use of that is totally taken away, as appears by the Stat. of 29 El. Cap. 10. 4 Ja. 1. Cap. 2d. where the trust in which said Statute, the Trust of Measuring, Sealing, and Searching of Cloath, is transferred to certain Overseers in every Parish, sworn and bound by Recognizance to perform their Office truly, who must seal the said Cloaths with a Seal of Lead, containing the length and weight, with the Word [Searched] printed upon the Seal, and the Cloath-Maker is thereby to affix his Seal of content to every piece; which cloaths and Kerseys so sealed shall not be researched: So that by these Statutes the *Aulnagers* and Collectors of the Subsidy of *Aulnage*, are discharged of their Trust of viewing, searching, and measuring of Cloaths, and so consequently not usefull as formerly: And since the making of the said Statutes, the *Aulnagers* have forbore to view, search, and seal Kerseys within the said Parishes, but have delivered their Seals to the Clothiers, and have sold them by Measures or Numbers, and suffered the Clothiers to affix those seals to the Cloaths themselves, never regarding what Cloaths they did so affix them to, all their End and Design being only to get Money for their Seals.